



# **Architectural Control Committee Design and Construction Standards**

(Revised June 1, 2021)

## Preface

Although these Design and Construction Standards are primarily intended to cover new construction, they shall also apply with equal effect to any alteration, addition or repainting of existing Structures.

These standards shall apply to any persons, company or firm that intends to construct, renovate, or alter any structure, or alter in any way their lot and surrounding natural environment.

Any homeowner proceeding with construction, alteration, addition or repainting of any new or existing Structure shall first obtain the approval of the Architectural Control Committee before proceeding with construction, alteration, additions or repainting or risk being fined and having to correct any violation of these Design and Construction Standards at his/her own expense.

These standards are intended to provide guidance during any development and construction and will be enforced by the Architectural Control Committee (ACC). These standards may also be amended from time to time by the ACC and it is the Homeowner's responsibility to be sure that they have the current guidelines.

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# 1 Introduction and Design Philosophy

The Cullasaja Community has evolved over time into a unique neighborhood of homes and public buildings that sit harmoniously within the natural setting of the southern Appalachians. These standards have been developed to provide criteria for the design and further development of the community. They establish a quality of design and construction that will enhance the community's overall aesthetic appearance and value to maintain Cullasaja in the forefront of the mountain communities.

Given the unique topography of the mountain setting and the streams, wetlands, vegetation and wildlife that exist here, it is exceedingly important to protect our natural assets. Therefore, these standards have also been developed to implement the goal of sustaining and preserving the beauty of the mountain landscape. To meet these goals it is essential to preserve, protect and enhance all open space areas, mountain vistas, golf views, and the natural forest environment.

These standards will guide property owners and their consultants in the design and construction and/or alteration of residences that insure compatibility with existing and evolving community styles and with the natural landscape.

## 2 Purpose/Procedures

The purpose of the ACC is to assure that any installation, construction or alteration of any Structure on any Lot shall be submitted to the ACC for approval (i) as to whether the proposed installation, construction or alteration is in conformity and harmony of external design and general quality with the existing standards of the neighborhood and with the standards of the Development, and (ii) as to the location of structures with respect to topography, finished ground elevation and surrounding structures.

This Design and Construction Standards document (hereinafter referred to as the "Standards") is promulgated pursuant to authority granted to the Architectural Control Committee (hereinafter referred to as the "ACC") of Cullasaja Club (hereinafter referred to as the "Development") under Section 5.01 of the Declaration of Covenants, Restrictions and Easements for Cullasaja Club, recorded in Book H-17, Page 266, Macon County, North Carolina Records and in Book 658, Page 714, Jackson County, North Carolina Records, as amended (hereinafter referred to as the "Declaration"). The Standards may be amended by the ACC within its sole discretion.

**Any proposed work on the exterior of any structure, whether maintenance or modification, shall be submitted to the ACC at least fourteen (14) days prior to the proposed work. The ACC will attempt to act upon the request within such period, but may require additional time for consideration and action upon the request.**

The requirements of these Standards shall be in addition to and not in lieu of the requirements and provisions set forth in the Declaration.

# 3 Site and Landscape Design

## 3.1 Objectives

- 3.1.1 To use the existing landscape and landforms on each lot as the base for all site design and building location / orientation.
- 3.1.2 To minimize tree removal.
- 3.1.3 To preserve and enhance existing vegetation and vistas.
- 3.1.4 To revegetate areas disturbed during construction.
- 3.1.5 To protect views to and from neighboring lots, streets and the golf course.
- 3.1.6 To insure the use of plant palettes consistent with existing native plant communities.

## 3.2 Grading, Drainage and Erosion Control

- 3.2.1 All grading shall strive for blended, smooth transitions at the top and bottom of slopes thus mimicking the natural topography.
- 3.2.2 No cut or fill slope shall exceed 8' in height unless it can be demonstrated that a large cut or fill actually minimizes site disturbance.
- 3.2.3 All Builders are required to install erosion control devices prior to any construction. At a minimum these will consist of wire backed silt fences, diversions berms and settlement basins. Additional erosion control measures may be required and performed by the contractors using BMPs. All protected areas (as noted on the approved plans), adjacent properties, and community facilities (such as roadways and roadside drainages) must be protected from any site run-off directly caused by construction activity.
- 3.2.4 Lots shall be graded in such a manner so as not to block or alter any natural or manmade swales, ditches or drainage structures.
- 3.2.5 Double silt fences will be required by the ACC for Lots adjacent to all streams and Lake Ravenel, The Cullasaja River, and all lots with a steep slope, and as otherwise required by the ACC.
- 3.2.6 Full compliance of all local, state, and federal standards for the installation of proper drainage is required.

## 3.3 Driveways

- 3.3.1 All driveways shall be hard surfaced. No loose material drives, such as gravel, can be installed without approval of the ACC. Prior to commencement of construction, no less than the initial 20 feet of the

driveway from the road shall be paved. If asphalt companies are closed, at the commencement of construction, the paving must begin as soon as practical after they reopen.

Gravel type driveways may be approved by special exception. The ACC may approve an embedded river rock driveway similar to the driveway at lot number 242, subject to conditions.

- 3.3.2 Although, driveways shall generally be constructed with asphalt, other hard surface materials may be considered and approved by the ACC if an exception is requested when plans are submitted to the ACC for approval. The ACC reserves the right to require that other hard surface materials be painted to better blend with the surroundings of the structure or the development. No white concrete driveways will be allowed.
- 3.3.3 Existing trees, topography and landscape planning should be taken into consideration in determining the location and shape of all driveways. Driveways should curve where possible and fit in well with existing topography.

### **3.4 Landscape**

- 3.4.1 Prior to construction on any Lot, identification and protection of existing trees and vegetation is necessary. It is helpful for someone with knowledge of Highlands area trees and vegetation to visit the Lot and identify important species before work is begun. The ACC can furnish a list of specialists in the area.
- 3.4.2 Some of the botanical riches of the area include white pine, hemlock, oaks, hickories, red maple, tulip poplar, mountain laurel, birch and ash. Native flowering shrubs include dogwood, catawba rhododendron, great white rhododendron and flame azalea. With these resources so plentiful, a very formal design with highly manicured lawns and many non-indigenous plants is not encouraged.
- 3.4.3 Construction can cause considerable stress to our fragile ecosystem. Damage must be kept to a minimum. To maintain a natural look, the post-construction landscaping should include a high percentage of indigenous plants. Further landscape buffering and blending of the structure after construction and at the edges of clearing to “nestle” the house into the site is greatly desired.
- 3.4.4 A written landscape plan must be submitted to the ACC prior to installation of any materials and prior to the Owner taking occupancy of the Structure. The landscape plan should include a drawing to show location, variety and size of all plant materials, as well as descriptions of all “hardscape” items such as fences, walls, rocks, and so forth. The landscape plan must include property lines and setback lines, finish floor elevation, easements, proposed clearing limits, existing and proposed grades by contour lines, location of

improvements, walks, drives, patios, turnarounds, parking, decks, walls, gateposts, entrance columns, bridges, garden structures, trash pad enclosures, lighting, air-conditioning compressors, power meters, telephone pedestals, existing streams, bodies of water and proposed water features. See specific landscape plan submittal requirements as per 6.3.8 hereof.

- 3.4.5 Unless it shall have been approved by the ACC, no statuary is allowed in view from the street, golf course, or another lot.
- 3.4.6 Landscaping shall be completed in accordance with approved plans not later than thirty (30) days after completion of residential Structures.
- 3.4.7 In the case of existing homes, proposed changes and additions in landscaping must be submitted in detail as set out in the subparagraphs above. A time frame for completion shall be agreed upon between the ACC and the Owner.
- 3.4.8 **Hemlock Removal Policy-** The removal and treatment of hemlocks is at the discretion of the homeowner. Removal of healthy hemlocks will require replacement if the removal significantly impacts views from the golf course, lake or neighboring homes. The homeowner may choose to save the hemlocks by utilizing one or more of the treatment processes that have proven to be successful. Dead hemlocks or other dead trees may be removed by the homeowner upon approval of the HOA Landscape Supervisor. The policy will be implemented through HOA Management.
- 3.4.9 Any landscaping performed in the Cullasaja HOA right of way is subject to removal and replacement at the sole expense of the homeowner. Hardscape installations (i.e. curbing, stone walkways, street pillars, etc.) in the right of way must be approved by the ACC prior to installation. Even if approved, such hardscape installations may be reviewed by the ACC at any time in its sole discretion, and any hardscape installed in the right of way may have to be removed/replaced at Owner's expense if the HOA must perform maintenance or construction in the right of way.
- 3.4.10 As to an Owner request for approval to remove or trim existing live trees, depending on the scale, scope and location, the ACC reserves the right to require submission of the following before acting upon the request:
  - (a) Color 8½ x 11 picture(s) showing the trees to be removed or trimmed and the contextual setting of any adjacent houses, roads or golf course;
  - (b) Site plan showing the specific location of each proposed tree to be removed or trimmed;
  - (c) Each tree proposed to be removed or trimmed must have specific flagging of such trees, and that flagging will correspond with the numbers on the pictures and site plan;
  - (d) Ink superimposed depiction on the pictures indicating the precise nature of proposed trimming; and
  - (e) Name of tree removal or trimming person/company that is proposed to perform the specific removal and/or trimming.



### **3.5 Landscape Screening**

- 3.5.1 Landscape screening shall be used within the Development to define private spaces or to attract or divert attention to or from particular views. The ACC may, in its sole discretion, require natural screening to hide objectionable structures.
- 3.5.2 Screening may be used in connection with free-standing utility apparatus, such as transformers and switching equipment, provided that no materials may be located within ten (10) feet of any inspection panel opening. Screening may be used in connection with exterior, ground-level machinery, such as air-conditioning and heating equipment. Screening may be used in connection with outside storage and service areas for equipment and supplies. Screening may be used in connection with refuse containers and related storage areas.
- 3.5.3 Earth banks and berms are an acceptable method of landscape screening. Such banks and berms must have a maximum slope of 2:1 and blend in with surrounding topography, and must be covered with an acceptable grass or ground cover.
- 3.5.4 Planting screens and hedges are an acceptable method of landscape screening. The species and layout design of such must be approved by the ACC. Mature landscaping is required.
- 3.5.5 Fences and walls are an acceptable method of screening, but must be reviewed and approved by the ACC. Such fences and walls shall complement the design, texture and color of all Structures on the same Lot, shall be a maximum of 5 feet above grade in height, shall decrease in height and increase in transparency with increasing distance from a Structure so as not to obstruct views, shall include planting as an integral component, and shall not attract attention as distinctive architectural elements. No fence that completely blocks vision shall be placed or constructed except where the need for privacy is evident and only upon approval by the ACC. Fences, where allowed by the ACC, may require such plantings installed so as to make them essentially invisible from the street, golf course or adjoining lots.

### **3.6 Landscape Lighting Guidelines**

- 3.6.1 Prior to the installation of any outdoor landscape lighting, plans and equipment description including lighting intensity must be submitted for review and approval by the ACC.
- 3.6.2 The construction of stone lighting pillars is not permitted in the Cullasaja HOA right of way without ACC approval. Design details and exact locations of these pillars must be submitted to the ACC and are subject to approval by the Cullasaja Homeowners' Association Board of Directors. Even if approved, such pillars may be reviewed by the ACC at any time in its sole discretion. Such pillars may have to be removed at Owner's expense if the HOA needs to perform maintenance or construction in the right of way.

### **3.7 Retaining Walls**

- 3.7.1 Retaining walls include any wall that retains 2 or more feet of earth. The maximum height of retaining walls is 4 feet (measured from the lowest finished grade level to the top of the wall).
- 3.7.2 If grade changes exceed 4 feet, a terraced or stepped-back wall structure with plantings areas (4 feet minimum), or an approved professionally engineered design, will be required, and must be permitted as required by law.
- 3.7.3 Retaining walls that face the golf course or common areas shall utilize natural stone and be subject to approval by the ACC.
- 3.7.4 Retaining walls may utilize dry stacked stone, veneer stone over a structural wall or stucco walls with suitable landscape screening, subject to the requirements of 3.7.2.
- 3.7.5 All walls should be shaped to blend with the natural topography. Multiple vertical and horizontal offsets should be utilized to achieve this effect.

### **3.8 Guest Houses**

- 3.8.1 As Cullasaja is a community of single family residences, the construction of separate detached guest houses is subject to ACC review and approval based on topography and visibility from streets, golf course and adjacent lots. Guest Houses are not permitted to be used for rental income or to be promoted on websites like Airbnb or VRBO.

### **3.81 House Rental**

- 3.81.1 As Cullasaja is a community of single family residences, rental of residences is regulated by section 6.26 of the community's Covenants and Restrictions. House rentals must have a minimum of 2 weeks and guest passes at the guard gate are only issued twice a month to ensure compliance. Section 6.26 of the Covenants states that residences may be leased only for residential purposes. Except for leases between Owners, leases between an Owner and the Club, and leases by the Club as lessor or sublessor, all leases of a Residence by an Owner shall have a minimum term of two (2) weeks, and only in accordance with rules and regulations governing such use from time to time adopted and published by the Board. Such lease shall also require the lessee to comply with the foregoing and shall provide that, in the event of non-compliance, the Board, in addition to any other remedies available to it, may evict the lessee on behalf of the Owner and specifically assess all costs associated therewith against the Owner and the Owner's Lot and/or Residence, and may also assess a fine against the Owner in the amount of \$3,500 or such greater amount as the Board shall reasonably determine.

### **3.9 Detached Accessory Structures**

- 3.9.1 The construction of detached accessory structures such as doghouses and/or fenced dog runs, play houses, tree houses, gazebos, boat houses and storage buildings are not encouraged, and must be approved by the ACC.

### **3.10 Prefabricated Structures**

- 3.10.1 Prefabricated or factory built residential or accessory structures shall not be permitted within the Development. The use of individual factory built construction components may be authorized, provided that they have been clearly disclosed as such on the submitted plans.

### **3.11 Pools and Spa Equipment**

- 3.11.1 Plans for proposed swimming pools, hot tubs, surrounding decks, fencing and screening must be submitted for approval before any clearing, grading or construction is commenced. Above-ground pools shall not be permitted.

### **3.12 Water Features and Irrigation Systems**

- 3.12.1 All new water features and irrigation systems must be on either a cistern or available rain water system. No potable water system hookups will be allowed.

- 3.12.2 As good stewards of our water, the ACC strongly recommends that all existing water and irrigation systems be converted to a cistern system.

Existing water features with hook ups to the potable water system may continue their water feature usage without installation of a cistern if, and only if, their seasonal household usage is not greater than the Cullasaja Club acceptable household usage.

The ACC will promulgate rules and regulations for the monitoring and the annual permitting of all water features.

### **3.13 Antennae and Satellite Dishes**

- 3.13.1 No exterior television or radio antennae or satellite dish, except the 18" version now in use, or solar equipment of any sort shall be placed, allowed or maintained upon any portion of a Structure or Lot without prior written approval by the ACC. No antennae shall be installed or used for the purpose of transmitting of electronic signals.

### **3.14 Basketball Backboards and Recreation Equipment**

- 3.14.1 The location of basketball backboards and playground equipment, and colors and composition of such, shall require the approval of the ACC.

### **3.15 Signs**

- 3.15.1 No signs whatsoever (including but not limited to commercial and similar signs) shall, without the ACC's prior written approval therefore, be installed,

altered or maintained on any Lot, or on any portion of a Structure visible from the exterior thereof, except:

- (a) Such signs as may be required by legal proceedings;
- (b) Directional signs for vehicular or pedestrian safety in accordance with plans and specifications approved by the ACC.

3.15.2 In no event during approved construction of any Structure shall more than one job identification sign be approved by the ACC.

3.15.3 “For Rent” or “For Sale” signs shall be prohibited in the Development.

3.15.4 Security signs placed on a property shall not be visible from the road.

### **3.16 Water Meter Installation Requirements**

3.16.1 A water meter must be installed for each residence constructed. Such meter must be purchased through the Cullasaja Homeowners’ Association and installed under the guidelines and approval set forth by the Homeowners’ Association repairs and maintenance staff.

### **3.17 Electric Meter Installation Location**

3.17.1 Permanent electrical meters must be attached to the house structure where practical; underground electrical wiring from transformers must be installed in concrete enclosed conduit.

### **3.18 Boat Docks**

3.20.1 Plans must be submitted to the ACC for review of all boat dock installations. Plans must clearly depict size, location, materials, and color for each.

### **3.19 Propane Tanks**

3.21.1 Propane tanks should be buried when feasible. Tanks that cannot be buried must be located in an inconspicuous place screened and buffered by landscape materials.

### **3.20 Grinder Pumps**

3.20.1 Grinder pumps must be purchased from or approved by the Cullasaja Homeowners Association.

### **3.21 Environmentally-minded Design and Construction Practices**

3.21.1 The Cullasaja Club encourages conservation and energy efficient design. These measures will contribute to the construction of more energy-efficient, durable, and better quality homes. The following measures are recommended in the planning and design of homes within the Cullasaja Club:

- (a) Thoughtful site planning considering solar aspect

- (b) New building technologies
- (c) Innovative building materials
- (d) Architecture utilizing natural ventilation
- (e) Use of insulation beyond required amount
- (f) Install high-efficiency windows and doors
- (g) Seal and insulate duct work
- (h) Utilize low flow shower heads, toilets and faucets
- (i) Reduce waste during construction and sort construction debris for recycling
- (j) Consider using solar power - solar panels may not be visible from adjacent properties, streets, and the golf course or common areas

3.21.2 While use of solar energy is an environmentally friendly undertaking, proposed installations of such equipment and devices require prior approval of the ACC.

### **3.22 Fire Pits and Outdoor Fire Places**

As the popularity, usage and enjoyment of outdoor fire pits and outdoor fireplaces have become ever more popular, the ACC, hereby promulgates the following Fire Pit/ Outdoor Fireplace Design and Construction Criteria for Fire Pits and Outdoor Fireplaces. Applications to construct such structures are to be submitted for review by the ACC with evaluations of approval, based upon the following considerations:

- 3.22.1 A Fire Pit or Outdoor Fireplace is a Structure per the Cullasaja Declarations and they must be constructed in accordance with the Standards promulgated by the ACC.
- 3.22.2 An Owner desiring to construct a new or modify an existing Fire Pit or Outdoor Fireplace, must make an application to the ACC giving specific information as to (1) location, (2) size, and (3) details on how and where the Fire Pit and/or Outdoor Fireplace is to be constructed.
- 3.22.3 The location of the proposed Fire Pit/Outdoor Fireplace must be sufficiently removed from existing buildings, structures and vegetation so as not to pose a fire hazard.
- 3.22.4 All Fire Pits and Outdoor Fireplaces shall be located on a stone patio with the stone patio extending at least four (4) feet from any portion of a Fire Pit.
- 3.22.5 Fire Pits and Outdoor Fireplaces shall have spark arresters.
- 3.22.6 Fire Pits and Outdoor Fireplaces shall have a portable source of water or supply of sand available to prevent unexpected spread of fire.
- 3.22.7 Trees larger than three (3) inches, or mature rhododendron, may not be removed for a Fire Pit and/or Outdoor Fireplace without ACC approval.

Should removal of rhododendron be approved, the Owner shall use reasonable efforts to relocate/transplant such rhododendron where feasible.

- 3.22.8 The location of Fire Pit and Outdoor Fireplace relative to neighboring property will be considered.
- 3.22.9 Pre-manufactured Fire Pits and/or Outdoor Fireplaces may be used, with ACC approval; however none shall be installed on wood decking.
- 3.22.10 Any existing Fire Pit or Outdoor Fireplace, when modified, must be submitted to the ACC for an evaluation thereof, to be made in accordance with the above-referenced approval considerations.
- 3.22.11 The ACC in its sole discretion shall have the right to approve the location and proposed features of a Fire Pit and/or Outdoor Fireplace.
- 3.22.12 When the HOA determines that ambient conditions are too dry, use of Fire Pits and/or Outdoor Fireplaces shall not be permitted; Owners will be notified by email, and a "Fire Hazard" placard will be displayed at the Main Gate.

## **4 Architectural Standards**

### **4.1 Objectives**

- 4.1.1 To create buildings that fit within the existing regional architecture and complements existing structures within the Cullasaja Club.
- 4.1.2 To design structures that respond to their site.
- 4.1.3 To minimize visual impacts of buildings.

### **4.2 Renovations**

- 4.2.1 All renovations, additions and any improvement to any site shall conform to all applicable sections of these design standards.

### **4.3 House Size**

- 4.3.1 Except with the express approval of the ACC, which may be withheld in its sole discretion, no single family residential Structure shall be located on any Lot unless said Structure shall have at least 1,800 square feet of enclosed heated living area.
- 4.3.2 No such Structure shall exceed 35 feet in height excluding chimneys as measured from the highest point of natural grade at the foundation.
- 4.3.3 Residential building heights are to be no taller than two stories. A third story will be allowed if it is fully contained within a roof system.

- 4.3.4 All Structures shall be set back from the front and rear lot lines and any adjacent streets at least thirty feet (30') and from any side lot line at least fifteen feet (15'), unless approved by the ACC.
- 4.3.5 In the unlikely event a site is cleared for construction and construction is not begun within three months the Owner will be required to restore the site to its natural condition, including removal of abandoned foundations.

#### **4.4 Foundations**

- 4.4.1 All houses must have stone or stucco foundations, as applicable to the material of each individual house. The height of a masonry foundation should be limited to the extent possible to 36 inches above finished grade. No exposed block or unfinished foundation is permitted. Stucco foundations must be screened with mature landscaping.
- 4.4.2 Where tall foundations exist (greater than 36 inches above finished grade) additional mature landscaping may be required to screen views of the foundation.
- 4.4.3 Foundations in excess of 36 inches shall also be detailed architecturally with windows and varying siding to break up large expanses of foundation.

#### **4.5 Chimney Stacks**

- 4.5.1 Chimney stacks on houses may not be cantilevered and hang in the air. They must sit on structural foundations or to grade.

#### **4.6 Garages**

- 4.6.1 The orientation and location of garages should be determined in relation to topography, trees and building lines in conjunction with the overall house approval. The ACC discourages street-facing garages and will only consider approval when the topography of the Lot leaves no alternative. Garages that face a street should be equipped with automatic closing devices. A garage may be detached from the home.
- 4.6.2 All garages shall have garage doors coordinated with all Structures on the Lot and materials and colors for such doors shall be specified on the plans submitted to the ACC for approval.

#### **4.7 Windows and Doors**

- 4.7.1 Metal windows, doors, louvers and window and door screens must be anodized bronze or factory finish colors compatible with the primary and trim colors. Colors must be submitted to the ACC for approval. Silver-finish aluminum doors (including sliding doors) and windows shall not be approved, and use of white or light colored window or door material is discouraged, and subject to final ACC approval.

#### **4.8 Exterior Colors**

- 4.8.1 The exterior colors of all Structures on all lots shall be harmonious and complementary to the natural environment, such that the houses blend in with the natural environment.
- 4.8.2 Exterior colors must be specified on the plans submitted to the ACC for approval. All such colors must be submitted to the ACC on a 2' x 2' color board of the same material to be used for the construction of the appropriate painted surface unless the paint color has previously been reviewed and approved by the ACC and the exterior colors of the walls and roof of single-family residential Structures shall be compatible and harmonious with the colors of nearby single-family residential Structures. Highly reflective, bright and white colors shall be avoided. For new construction a field mock-up as per 6.3.7 here may be required.
- 4.8.3 Should a builder or homeowner wish to make changes in the scheduled color schemes or design their own colors, this may be done only by consulting with the ACC in order to achieve a well-coordinated color scheme throughout the Development.
- 4.8.4 All primary colors, which are the large areas of painted walls, shall be in subdued earthtones. Red, bluish colors and light colors for painted walls may not be approved. A listing of some pre-approved colors is available.
- 4.8.5 Secondary colors shall be compatible with the primary colors and be limited to architectural details such as fascia, frames, shutters, front doors, etc., and subject to ACC approval.
- 4.8.6 The color of walls of adjacent residential structures is discouraged, unless the concept of a grouping of similar structures so specifies, or if the structures are sufficiently distant and approved by the ACC.
- 4.8.7 All proposed exterior repainting must be submitted to the ACC for consideration and approval.

## **4.9 Exterior Materials**

- 4.9.1 The exterior materials of all Structures on all lots shall be harmonious and complementary to the natural environment.
- 4.9.2 Exterior materials on all houses shall be specified in the plans submitted to the ACC for approval.
- 4.9.3 The recommended siding materials are: natural wood lap siding, Hardie Board lap siding, natural cedar shakes or shingles, or stone.
- 4.9.4 Brick may not be used as the primary material of a Structure. If used as a secondary or "trim" material, there shall be no red, orange, or white-looking brick, and no weeping or black mortar. All brick shall be in subdued colors and samples must be submitted for approval. Old, used brick may be accepted in special areas, as may be the painting of brick.



- 4.9.5 The recommended stone shall be native stone with gray mortar (no black mortar). Dry stack native stone is also recommended.
- 4.9.6 Stucco may not be used as the primary material of a Structure. It may be used as a secondary or “trim” material and to cover foundation walls. All stucco is to be painted to match, or at minimum be compatible with, the primary exterior color of the Structure.

#### **4.10 Roofing, Guttering and Downspouts**

- 4.10.1 Primary roof shapes may not be flat. The ACC recommendation for roof pitch is that the minimum should not be less than 6/12 pitch and the maximum should not exceed 10/12 pitch.
- 4.10.2 Roofing materials and colors shall be specified in the plans submitted to the ACC for approval. For new construction a field mock-up as per 6.3.7 here may be required.
- 4.10.3 Primary residential roofing materials with a shadow-softening effect are recommended. These include split wood shakes, composite cedar shakes as manufactured by DaVinci, natural slate, and asphalt or fiberglass shingles which complement the balance of the colors and materials selected. Wooden shakes must have chimney “spark arresters.” Metal roofing may not be primary roofing material unless approved by the ACC. All metal accents must receive ACC approval. Cedar shake roofs shall not be stained or sealed without ACC approval.
- 4.10.4 No plumbing or heating vent shall penetrate roof surfaces that face the street or streets adjacent to the residential Structures.
- 4.10.5 All roof stacks and flashing must be painted to blend with the roof color.
- 4.10.6 All gutters and downspouts must be painted, unless copper, to blend with the roof color, or soffit, or corner boards.
- 4.10.7 All roofing material whether new construction or re-roofing, must be submitted for approval to the ACC.

## **5 Additional Requirements**

### **5.1 Lake Villas**

- 5.1.1 In addition to the Standards which are applicable to all improvements to be constructed within the Development, the following supplemental design and construction requirements are applicable to improvements to be constructed on the Lake Villa Lots due to the high visibility of the Lake Villas from the golf course. Lake Villa lots 1, 2 and 3 are not considered Lake Villa lots. Except as otherwise specified in this Section 5.1.1, the improvements should conform in dimensions, site location, style, materials, exterior finish, color and other details affecting the exterior appearance, to those certain plans and specifications set

forth as LAKE VILLAS DESIGN, PAGES 1 THROUGH 4, BY JOHN CALVIN MORRIS, AIA., PROJECT NO. RD 92002, DATED 11/25/92 (hereinafter referred to as the "Approved Plans").

- (a) All construction within the Lot is restricted to the 44' x 103' rectangle as depicted on the individual Lot plat, unless approved by the ACC.
- (b) The building footprint including carport may not exceed 85% of the 44' x 103' rectangle shown, unless approved by the ACC.
- (c) The maximum permissible square footage for parking area and walkways on the Lot may not exceed 604 square feet. The driveway from the Lake Villas Way may not exceed 10' in width, unless approved by the ACC.
- (d) The current permissible exterior materials and colors are listed below, other colors may be submitted, subject to ACC approval:

|  |  |
|--|--|
| <b>Siding</b>                            | Cedar shingles and cedar lap siding<br>Hardie Board  |
| <b>Exterior Colors</b>                   |  |
| • Walls                                  | Cabot Solid Color Stain Pewter Gray (existing)<br>Cabot Solid Color Stain Thatch<br>Benjamin Moore 1489 Devonshire Green<br>Cabot Solid Color Stain Spanish Moss |
| • Trim & Deck Rails<br>Trim & Deck Rails | Cabot Solid Color Stain Dune Gray (existing)<br>Two parts Taupe, One part Spanish Moss   |
| • Deck Floor                             | Cabot Semi-Solid Stain Driftwood Gray (existing<br>decks may be re-stained in existing colors)   |
| • Foundation<br>Stucco Chimney           | Benjamin Moore HC-86 Kingsport Gray  |
| • Lattice or Slat Screen                 | Cabot Solid Color Stain Spanish Moss. All new or<br>refurbished lattice shall be slat screen, in accordance<br>with details in the Appendix, Slat Screen detail  |

## 1. Decking Materials

### A- Deck Floor Materials

- Pressure Treated Lumber;
- IPE Wood Decking (Ironwood), weathered to gray, no brown stain;
- Synthetic Trex decking, in gray.

### B- Deck Railing Materials

- 2x2 wooden pickets;
- Anodized aluminum pickets, similar to Lake Villa lot number LV22, subject to conditions;
- Other types as approved by the ACC.

## 2. Shade and Roofing/Eye Brow Structures

### Awnings

- No additional awnings will be installed after October 10, 2011; Awnings installed prior to that date may be refurbished as needed;
- Color of canvas of any refurbished awning must match the color of the house, only solid colors can be used.

### Wood Arbors or Pergolas

- Must be stained to match the trim color of the house;
- Retractable panels may be inserted;
- Specifics are in Appendix B.

### Gable Roof Design

- Gable roof may be installed on the lake side of the home. The roof must be constructed according to Appendix B, or as approved by the ACC.

## Eye Brows

- Eye Brows may be constructed if approved by the ACC

All proposal modifications seeking ACC approval to the exterior of a Lake Villa visible from the golf course will require scaled drawings of the floor plan, showing setbacks, all elevations and exterior trim, windows and door details and colors.

### **3. Lattice**

- Refer to Appendix B. Only wood slats permitted on new lattice and refurbished lattice.

### **4. Chimney Materials**

- Stucco and native North Carolina stack stone can be used with gray mortar;
- Chimney caps for gas fireplaces should be painted to match the stucco;
- Wood burning fireplaces must have a spark arrester cap;
- Stucco, stone or wood siding is permitted.

### **5. Roofing Materials**

- Architectural grade fiberglass shingles, weathered wood in color.

### **6. Lattice**

- Refer to Appendix B. (Only wood slats permitted on new lattice and refurbished lattice).

### **7. Garage Doors**

- Would be preferred, but must match the exterior of the house.

### **8. Stonework**

- Stonework can be installed with ACC approval. It must adhere and be consistent with, the same standard as the chimney.

### **9. Landscaping**

- A written landscape plan must be submitted to the ACC prior to installation;

### **10. Lake Walls**

- No retaining walls or similar structures may be constructed along the edge of the lake bordering the Lake Villa lots except with the prior approval of the ACC. The ACC may, upon request of a Lake Villas property owner, approve construction of a retaining wall along the edge of the lake bordering the property of such owner so long as the retaining wall is similar in all respects (including, without limitation, design, materials, coloration, rock size, and wall height) to the rock wall currently (June, 2012) at lot number LV12. Additionally, in granting such approval, the ACC may impose such other restrictions on the construction of any such wall as the ACC, in its sole discretion, deems necessary to preserve a harmonious appearance across all retaining wall structures built along the edge of such lake.

11. The street side of each home will be governed by the community standards. Submittals on proposed renovations and modifications of Lake Villas will be viewed on a case by case basis subject to ACC review.

In the event of any conflict between any part or provision of paragraphs 4 through 13, inclusive, of this Section 5.1.1 and any part or provision of the Approved Drawings, the part or provision of paragraphs 4 through 13, inclusive, shall control.

**The ACC reserves the right, in its sole discretion, to withhold approval of any plans and specifications for improvements on the Lake Villa Lots that do not conform to the Approved Plans.**

## **5.2 Overlook Villas**

- 5.2.1 Specifically, the improvements must conform in dimensions, site location, style, materials, exterior finish, color and other details affecting the exterior appearance, to those certain plans and specifications set forth as THE OVERLOOK CABINS, PLAN SCHEME # N/A, PAGES 1 THROUGH 6, BY ALFRED F. PLATT, JR., AIA. P.A., PROJECT NO. 9033, DATED 12/20/90, REVISED 11/15/91 (hereinafter referred to as the “Approved Plans”).
  - (a) All utilities outside of Overlook Trail easement are the responsibility of the individual lot owner.
  - (b) All construction within the lot is restricted to the 36’ x 65’ rectangle shown, unless approved by the ACC.
  - (c) The building footprint including carport cannot exceed 85% of the 36’ x 65’ rectangle shown.
  - (d) The driveway from Overlook Trail to the carport cannot exceed 10’ in width. One paved turn-a-round or extra car parking space is allowed, but cannot exceed 240 sq. ft.
  - (e) There shall be no windows on the right side of the house as viewed from the road.
  - (f) The exterior colors of all Structures on all lots shall be harmonious and complementary to the natural environment.
  - (g) All primary colors, which are the large areas of painted walls, shall be in subdued earthtones.

**The ACC reserves the right, in its sole discretion, to withhold approval of any plans and specifications for improvements on the Overlook Villa Lots that do not conform to the Approved Plans.**

### 5.3 Fairway Cottages

- 5.3.1 In addition to the Standards which are applicable to all improvements to be constructed within the Development, certain supplemental design and construction requirements are applicable to improvements to be constructed on the Overlook Lots. As the Fairway Cottages are located in a very visible location from the golf course, and are close together on small lots, external portions of the Overlook Villas shall conform to the four page Fairway Cottage Brochure, proposed by Arvida, and attached as Appendix A to these Standards.
- 5.3.2 Roofs shall be cedar shake or composite cedar shake as manufactured by DaVinci Cedar Shake roofs may not be stained or sealed without ACC approval.
- 5.3.3 All proposed modifications, including but not limited to, what might be considered maintenance, including exterior materials and colors, shall require ACC approval.

## 6 Design Review Process

This section provides an outline for the design review process at the Cullasaja Club. The process consists of several meetings between the owners, their design team and the ACC. The meetings are intended to provide a fair review of all plans and the ACC should be viewed as a contributing member of the design team, not solely a review agency.

The Cullasaja Club review process happens in four steps:

- Pre-Design Meeting
- Preliminary Design Review
- Final Design Review
- Construction Monitoring

Plans submitted for these steps should be prepared by a licensed Architect, Landscape Architect, Surveyor, and Engineering Professionals as needed.

A number of items require review and approval of the appropriate local governmental authority. It is the responsibility of the applicant to obtain all necessary permits. Approval by the appropriate local governmental authority does not preclude review and approval by the ACC and vice versa. Copies of permits required and issued by the appropriate local governmental authority shall be furnished to the ACC. The ACC's approval of any design or structure shall not relieve the Owner and/or contractor from compliance with all governmental permitting requirements. Neither Owner nor contractor shall hold the ACC responsible for anything approved or disapproved by the ACC.

## 6.1 Pre-Design Meeting on Site

- 6.1.1 For new construction, an on-site meeting with a representative of the ACC may be required to discuss site features as they relate to these guidelines. At such meeting possible building sites, setbacks, clearing, and issues concerning adjacent property owners can be discussed. The property owners along with their design team and builder are required to attend this meeting. A discussion of architectural style will also assist the applicant and their architect in formulating plans.
- 6.1.2 All requirements, applications / fees, and scheduled design review meetings should also be discussed.

## 6.2 Preliminary Design Submittal and Review

After the pre-design meeting the owners shall submit an application for Preliminary Design Review along with the associated check list and materials described below. All submittals must be complete. A partial submission will not be processed and/or scheduled for review by the ACC until all required items are submitted. **The ACC requires one full size set of drawings, one 11x17 set, and one digital copy (PDF)**

- 6.2.1 Preliminary Design Review Application
- 6.2.2 Lot Survey – a property survey prepared by a licensed NC surveyor indicating legal boundaries, all easements of record, utilities, two foot contours, existing mature trees 6” and greater in diameter, and any significant natural features.
- 6.2.3 Site Plan – a 1:20 minimum scale drawing showing existing topography and proposed grading and drainage, building footprint, proposed finished floor grades, setbacks, existing trees to be removed and to remain, driveways, parking areas, fences, patios, and pools or any other hardscape elements. The site plan must also show the locations of structures on adjacent lots. The ACC may require the flagging of requested features on the site, by a registered land surveyor.
- 6.2.4 Preliminary Floor Plans and Elevations – 1/8” = 1’ minimum scale drawings showing all window and door locations as well as room uses. Elevations shall include building height from existing and proposed grades and notation of exterior materials.
- 6.2.5 Conceptual Landscape Plan – this plan shall include areas of proposed plant massings, areas of vegetation to remain, turf areas, proposed plant lists, water features, patios, pools, and any other significant design intent.

Preliminary Design Review Meeting – upon receipt of the required drawings the ACC will notify the owners of the next scheduled meeting date to review their plans. The property owners, members of their design team and the builder, as may be specified by the ACC, may be required to attend the meetings. A meeting at the site,

subsequent to the required surveyor's flagging may be required. ACC will provide the conclusions of the meeting to the owners in writing.

### 6.3 Final Design Submittal and Review

To achieve final approval the Owners and their design team shall provide all information necessary to reflect the design of any proposed structure and landscape, including without limitation to materials described below. Final drawings should generally reflect the preliminary submittal drawings. These final drawings should be construction level drawings. All submittals must be complete. A partial submission will not be processed by the ACC until all required items are submitted. **ACC requires one full size set of drawings, one 11x17 set, and one digital copy (PDF)**

#### 6.3.1 Final Design Review Application

6.3.2 Site Plan – a 1:20 minimum scale drawing showing existing topography and proposed grading and drainage, building footprint, proposed finished floor grades, setbacks, existing trees to be removed and to remain, driveways, parking areas, fences, patios, and pools or any other hardscape elements. All horizontal construction should be properly dimensioned. Clearing limits should be clearly delineated and no grading or clearing shall be allowed outside of this area. Major features on adjacent property to include adjacent structures within 40 feet of the property line shall also be included. Also required for final design review will be a grading, drainage and erosion control plan and an exterior lighting plan.

6.3.3 Final Floor Plans and Elevations – 1/4" = 1' minimum scale drawings showing all window and door locations as well as room uses and dimensions and locations of mechanical and electrical systems. Fully dimensioned floor plans should include decks, terraces, porches and patios. Elevations shall include building height from existing and proposed grades and notation of exterior materials and colors.

6.3.4 Sections – Typical building sections with height dimensions and materials notation.

6.3.5 Architectural Details – All details necessary to explain all architectural features such as handrails, railings, fences, roofs, chimney styles, exterior trim and details, columns, etc.

6.3.6 Sample board (on 11x17 boards as needed) shall also be submitted. Included should be roof material and color, wall materials and colors, exterior trim material and color exterior door material and color, stone / rock type, fence materials, exterior paving and railing materials as needed.

6.3.7 Field mock-up. As a requirement of final approval the Builder may be required to provide a mock-up a typical exterior corner detail including a sample window, window trim, siding, corner boards, roof material and all colors. This mock-up may be constructed at the appropriate time during construction, but the ACC reserves the right (regardless of previous



approvals) to require changes to the field mock-ups if they do not conform to the objectives of these Standards. This typical corner may be placed in such a way to screen the required port-a-john from public view.

- 6.3.8 Final Landscape Plan – this plan shall include areas of proposed plantings, areas of vegetation to remain, turf areas, plant lists / numbers, plant locations, water features, patios, pools, and any other significant design intent. All proposed plants must conform to the Cullasaja approved plant list. The plant list shall include the specific plant size, in height, spread, root environment, botanical name, common name and quantity used. All additional proposed elements such as benches, sculptures, arbors and fences shall also be shown on the plans.
- 6.3.9 Construction Schedule - providing for full and final completion within 18 months of commencement, i.e., the building permit.

If the contractor anticipates that the house cannot be completed within stated 18 month period, then it must set forth such reasons for ACC review and approval. The ACC may, in its discretion, dictate a longer or shorter duration for construction than said 18 months.

Final Design Review Meeting – upon receipt of the required drawings the ACC will notify the owners of the next scheduled meeting date to review their plans. The property owner, members of their design team and the builder, as may be specified by the ACC, may be required to attend the meeting. ACC will provide the conclusions of the meeting to the owners in writing.

**Any change in the approved plans must be resubmitted for written approval.**

## **6.4 Construction Review**

- 6.4.1 During construction the ACC will check status to ensure compliance with approved plans. If changes or alterations have been made that have not been approved, the ACC will issue a Notice to Comply.

## **6.5 Impact, Plan Review, Variance, and Compliance Deposit**

- 6.5.1 Construction of new houses and significant house or hardscape modifications can adversely affect the HOA roads and other infrastructure. Accordingly, an impact fee of ten thousand dollars (\$10,000) shall be charged for any new construction within the development. The fee will cover the cost of the plan review by the ACC, periodic inspection of the job site by the ACC personnel, and effects on the roads and infrastructure in the community during the construction process.

An impact fee of one thousand dollars (\$1,000) shall be charged for any addition to or remodeling of existing structures (including interior remodeling) within the development where the completed cost does not exceed thirty thousand dollars (\$30,000). The fee will cover the cost of the plan review by the ACC, periodic inspection of the job site by the ACC personnel, and the normal and reasonable use of the road system in the community during the construction process.

An impact fee of one thousand five hundred dollars (\$1,550) shall be charged for any addition to or remodeling of existing structures within the development where the completed cost exceeds thirty thousand dollars (\$30,000). Projects that have a completed cost of less than fifteen thousand (\$15,000) dollars will be charged a three hundred (\$300) dollars plan review fee, provided that on projects less than \$1,500.00, there shall be no impact fee. The fee will cover the cost of the plan review by the ACC, periodic inspection of the job site by the ACC personnel, and the normal and reasonable use of the road system in the community during the construction process. When remodeling or additions are completed, the impact fee may be adjusted up and/or refunded based on the completed project cost, as provided by the Owner.

For non-complex renovation/remodel projects covered by these Design Standards, the ACC at its sole discretion may eliminate many of the design submittal requirements. Agreement as to design submittal requirements will be reached with the owner and their design team at the preliminary design review meeting.

- 6.5.2 If after construction or renovation/remodeling begins and the owner/contractor requests a variance of the dwellings location or set back, a fee of up to two thousand five hundred dollars (\$2,500) shall be charged if the variance request is granted.
- 6.5.3 If a renovation/remodeling or new construction is started by a contractor prior to plan approval by the ACC, an additional fee of one thousand (\$1,000) dollars will be charged.
- 6.5.4 In addition to the impact fee provided above, a compliance deposit of ten thousand (\$10,000) dollars is required for new construction and a deposit of five thousand (\$5,000) dollars is required for renovation/remodeling to be paid to the Cullasaja Homeowners' Association, Inc. for projects exceeding fifty thousand (\$50,000) dollars. For projects less than thirty thousand (\$30,000) dollars, a thousand (\$1,000) dollar deposit shall be made. The deposit will be refunded upon issuance of the final Certificate of Compliance, less any fines not collected during the course of construction and less the estimated cost to repair any damage to the roads, road shoulders, and water and sewer systems of the Association or to private property adjacent to the building site which has occurred during construction. The ACC shall have the discretion to reduce the amount of such compliance deposit in instances where the cost of completed construction is determined to be less than that requiring payment of an impact fee.
- 6.5.5 Landscape and Hardscape – Design Approval and Fees

As used herein “hardscape” means and includes retaining walls, berms, earth banks, pathways, fencing, screening, patios, and water features. Fees apply to independent landscape projects separate from new construction or renovation of existing structure.

### Design Approval.

Before undertaking any landscaping, including any hardscape, and whether or not such landscaping or hardscape is undertaken in connection with new construction or renovation of an existing structure, the property owner must submit to the ACC for its approval drawings showing the design of the proposed landscaping or hardscape. If the estimated cost of the project is greater than ten thousand dollars (\$10,000), such drawings shall be prepared by a landscape designer or landscape architect. Design drawings for landscape and/or hardscape projects having an estimated cost of less than ten thousand dollars (\$10,000) do not need to be prepared by a landscape designer or landscape architect. The ACC, in its sole discretion, may modify design submittal requirements relating to landscape and hardscape projects.

### Fees.

The following fees shall be payable for any landscape project involving hardscape when not undertaken in connection with new construction or renovation of an existing structure. An impact fee of one thousand dollars (\$1,000) shall be charged for any landscape project having a completed hardscape cost of more than ten thousand dollars (\$10,000) but less than fifty thousand dollars (\$50,000). The fee will cover the cost of the plan review by the ACC, periodic inspection of the job site by the ACC personnel, and the normal and reasonable use of the road system in the community for transportation of materials used during the construction process and for debris removal.

An impact fee of one thousand five hundred dollars (\$1,500) shall be charged for any landscape project having a completed hardscape cost more than fifty thousand dollars (\$50,000). The fee will cover the cost of the plan review by the ACC, periodic inspection of the job site by the ACC personnel, and the normal and reasonable use of the road system in the community for transportation of materials used during the construction process and for debris removal.

In addition to the impact fee provided above, a compliance deposit of one thousand five hundred dollars (\$1,500) is required for any landscape project having a completed hardscape cost of more than ten thousand dollars (\$10,000) but less than fifty thousand dollars (\$50,000). A compliance deposit of five thousand dollars (\$5,000) is required for any landscape project having a completed hardscape cost of more than fifty thousand dollars (\$50,000). A deposit will be refunded upon final inspection of the project, less any fines for non-compliance with approved plans that may have been assessed by the ACC and not paid prior to completion of the project and less the estimated cost to repair any damage to the roads, road shoulders, and water and sewer systems of the Association or to private property adjacent to the building site which was caused by or resulted from the project or activities related thereto. No compliance deposit shall be required where the estimated cost of the project is less than ten thousand dollars (\$10,000).

|  | Impact Fee  | Refundable<br>Compliance Deposit |
|--|-------------|----------------------------------|
| <b>New Construction</b>  | \$10,000.00 | \$10,000.00                      |
| <b>Renovation<br/>With a completed cost of less<br/>than \$15,000.00</b>                               | \$300.00    | \$0.00                           |
| <b>Renovation<br/>With a completed cost of<br/>more than \$15,000.00 but less<br/>than \$30,000.00</b> | \$1,000.00  | \$1,000.00                       |
| <b>Renovation<br/>With a completed cost<br/>exceeding \$30,000.00</b>                                  | \$1,550.00  | \$5,000.00                       |
| <b>Landscape and Hardscape Projects</b>  |             |                                  |
| <b>Project with a completed cost<br/>exceeding \$10,000.00 but less<br/>than \$50,000.00</b>           | \$1,000.00  | \$1,500.00                       |
| <b>Project with a completed cost<br/>exceeding \$50,000.00</b>   | \$1,500.00  | \$5,000.00                       |

## 6.6 Certificate of Compliance.

6.6.1 A Certificate of Compliance must be applied for at the completion of construction. Certificates of Compliance will not be issued until the Structure is complete and the Owner has received an occupancy permit from the County Building Department. Prior to the issuance of the Certificate, all repairs to damaged roads and roadsides (if such is appropriate) must be completed, construction completed according to approved plans, the job site cleaned, ground-cover established, driveway paved and landscaping completed. If construction is completed during those months when local asphalt plants have been closed for the winter (generally November through April) then arrangements must be made to commence driveway paving within forty-five (45) days of the opening of the plants in the spring. Cullasaja HOA shall not provide water and sewer services to any residence for which a Certificate of Compliance for new construction, renovation or remodeling has not been obtained. Provided the HOA may in its sole discretion, provide temporary water and sewer services for a period of time not to exceed 180 days to a new, renovated or remodeled residence which has been completed in strict accordance with the requirements of the ACC, and which is awaiting only the reopening of the asphalt plants to complete the driveway paving.

# 7 Contractor and Construction Site Rules.

## 7.1 Contractor Approval Requirements

All new home construction, renovation and remodeling within Cullasaja Club, where required by law, must only be performed by North Carolina licensed contractors with adequate license limits who are approved in advance by the ACC. In order to approve any general contractor to perform work within the development the ACC may require the contractor to provide a copy of the Contractor's license, a statement of good standing from the North Carolina General Contractors Licensing Board, copies of the newest recent financial reports submitted to by the contractor to the Licensing Board, proof that the contractor currently maintains the availability of funds required by the Licensing Board, current financial statements prepared by a Certified Public Accountant, a credit report, a criminal background report, bank references, client references and such other information as may be reasonably requested by the ACC. If the proposed contractor or any previous entity to which the contractor has been related has ever been a party to the violation or non-observance of these Design and Construction Standards, the ACC may prohibit the Owner from using the contractor for construction work in the Development. If the ACC is of the opinion, after reasonable inquiry, that the proposed contractor may be unable, for any reason, to perform the proposed construction in strict accordance with the Owner's requirements and/or the Design and Construction Standards, the ACC may prohibit the Owner from using the contractor for work in the Development or may require the contractor to post a bond, over and above the fees and deposits set forth in paragraph 6.5 hereinabove, in such amount as may be required to assure the contractors performance in accordance with all obligations to the Owner and Compliance with these Design and Construction Standards.

## 7.2 Construction Site Approval.

7.2.1 After approval by the ACC of the plans for any Structure and prior to the commencement of any construction or grading on the Lot for which such plans were approved, the ACC may require that the location of the Structure be clearly marked on such Lot by a licensed land surveyor. The corners and driveway centerline must be staked and each stake must be numbered to the corresponding points on the site plan itself. A narrow path must be cut between all stakes on the Lot. This cut line is limited to brush and other minor vegetation. No trees may be removed to establish this cut line until the ACC has completed its review.

7.2.2 After such marking, the Owner or the Owner's contractor shall request in writing that a representative of the ACC inspect the proposed location of the Structure as marked on the Lot.

7.2.3 Within a reasonable time after receipt of such written request, the ACC shall inspect the proposed location of the Structure as marked on the Lot, and notify the Owner in writing of its approval or disapproval of the proposed location of the Structure.

- 7.2.4 In any case in which the ACC shall disapprove the proposed location, or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a written statement of the grounds upon which such action is based.
- 7.2.5 In any case the ACC shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable location may be marked and submitted for approval.
- 7.2.6 In no event shall the Owner permit the removal of any tree having a diameter of three (3) inches or more (as measured from a point two (2) feet above ground level) from the Lot, outside the defined construction site, prior to submitting and receiving the written approval of the ACC of the Conceptual Landscape Plan required by Section 6.2.5 hereof and Final Landscape Plan required by Section 6.3.8 hereof.

### **7.3 Construction Vehicles.**

- 7.3.1. During approved construction, all vehicles in any way connected with such construction shall enter the Lot or Lots by the driveways. Parking on roadsides is not allowed overnight. In no event shall any driveways other than those approved by the ACC be constructed or used for temporary access to any Lot. All vehicles shall be parked on the Lot in such manner as to avoid damage to trees, paving, curbs, gutters or any other improvements to the Lot. When parking on the Lot is not practicable, construction vehicles should be parked as far off of the paved road surface as possible, only on the frontage of the lot being built on and in no way positioned so as to obstruct the flow of normal traffic or to in any way create a traffic hazard. Traffic cones may be required when vehicles are parked on the shoulder of the road. Any damage occurring during construction to roads, roadside landscaping (grass, plants, trees, irrigation equipment and signs) must be repaired prior to issuance of the final Certificate of Compliance.

### **7.4 Construction Debris.**

- 7.4.1 All stumps and brush are to be removed from Lots prior to foundation construction, and no such stumps, brush or other debris shall be buried on such Lots.
- 7.4.2 Construction debris shall be removed as often as necessary to keep the Lot and the Structure thereon clean and attractive.
- 7.4.3 Construction debris shall not be dumped in any area of the Development.
- 7.4.4 All trucks hauling trash and loose materials are to be covered or have a tarpaulin to restrict contents from blowing out.
- 7.4.5 Adequate waste containers shall be provided on construction sites and placed in an inconspicuous location on the property. The work site must be kept clean on a daily basis. Construction materials must be staked or stored on site in a neat orderly manner and clear of all easements and road rights-of-ways.

## **7.5 Construction and Service Personnel Work Rules.**

- 7.5.1 Construction is restricted to the hours of 7:00 a.m. - 5:00 p.m. Monday through Friday. The movement of heavy equipment, including dump trucks, concrete trucks, tractors, and paving equipment within the Development shall cease at 5:00 p.m. With prior ACC approval Saturday and holiday working may be allowed by the ACC and implemented by the Club General Manager, HOA Manager, or Director of Security, confined to “quiet work” only; noisy or heavy equipment is not to be operated. There shall be no work on Sundays or on holidays observed by Cullasaja Club.
- 7.5.2 The possession and/or use of alcoholic beverages, any controlled substance, or firearms is strictly prohibited. Any violation of this rule will result in immediate removal of the offender from the Development and may result in the permanent expulsion of the contractor or sub-contractor employing the offender.
- 7.5.3 Loud, offensive and discourteous language will not be tolerated. The volume of radios or other sound devices shall be kept at such level as they will not be heard beyond the confines of the Lot where the work is being performed. All vehicles are required to have proper muffler systems.
- 7.5.4 Shirts must be worn at all times while in the Development. Tee shirts and tank tops are acceptable.
- 7.5.5 Fishing and hunting are specifically prohibited within the Development.
- 7.5.6 Each contractor and sub-contractor is responsible for ensuring that all of their personnel are made aware of and fully comply with these Rules. Any exception to any Rule must be authorized in advance by the ACC administrative staff. Security personnel have been directed and empowered to enforce all Rules.

## **7.6 Time Schedule.**

- 7.6.1 Construction of a residential Structure must be completed within 18 months of the start date, unless a shorter time period is required by the ACC. Timely completion by a contractor shall be a factor considered for future approval as a contractor. If the contractor determines that additional time is necessary for proper completion, then the contractor should make a written request to the ACC.

## **7.7 Port-A-Johns.**

- 7.7.1. Port-A-Johns must be located on the job site in an inconspicuous location, and screened from view whenever possible. Port-A-Johns are to be serviced weekly. The preferred color for Port-A-Johns is dark green. Port-A-Johns must be removed immediately upon completion of construction.

## **7.8 Burning.**

- 7.8.1 Burning material of any nature is prohibited within Cullasaja Club Community.

## **7.9 Blasting.**

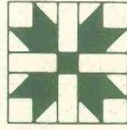
- 7.9.1 Blasting shall require the issuance of a permit by the ACC. No blasting shall be permitted without the submission of required state and for county blasting permits, and then only if all normal and reasonable safety precautions are observed. Blasting must be conducted in accordance with all State laws. Adequate insurance must be in place for each blasting job and proof of such insurance is required to be filed with the ACC. Steel mesh blankets or large quantities of dirt must be used to control the effect of dynamiting activities. Failure to obtain the required blasting permit from the ACC shall result in an automatic fine of up to five thousand (\$5,000) dollars.
- 7.9.2. All blasting permits require that notice be given to adjacent homeowners, security, and HOA management at least 24-hours in advance of proposed blasting. Blasting permits are the responsibility of the Owners and the General Contractor.

## **7.10 Fines.**

- 7.10.1 Any failure to fully comply with the provisions of these Standards may result in the imposition of a fine by the Cullasaja Club Homeowners Association Board of Directors of up to five thousand dollars (\$5,000) for each separate occurrence.
- 7.10.2 Any contractor or sub-contractor who shall repeatedly and willfully violate the provisions of these Standards shall risk being barred from further access to work within the Development.



## APPENDIX A

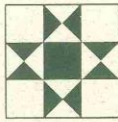


The Fairway Cottages offer a unique opportunity for just a few. Located along number 10 Fairway with sunset views, golf course views and mountain views. These architecturally designed Cottages are only a short walk to the Clubhouse, pool and tennis area and the first tee.

# Fairway Cottages

**Cullasaja  
Club** 

An Arvida Community



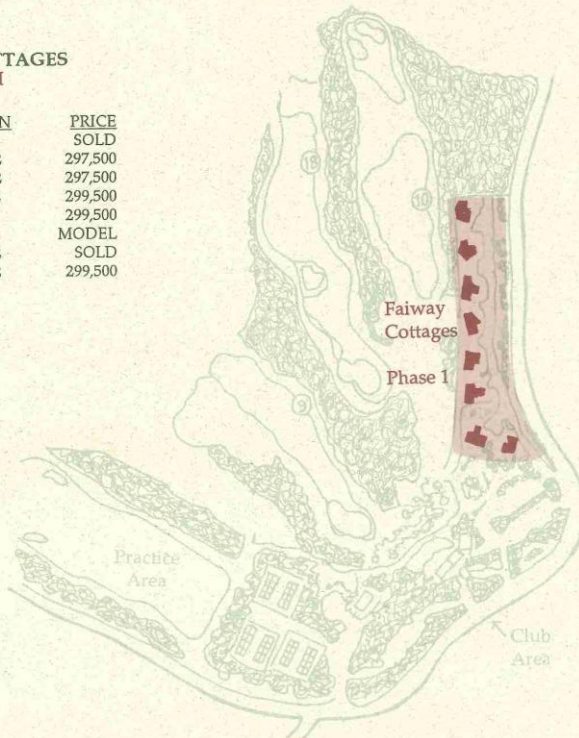
## A Fairway Cottage You Can Call Home

Our Arnold Palmer-designed course is completely constructed ... and along the edge of the Tenth Fairway, eight building sites have been carefully nestled into the mature hardwood forest. These sites have begun to bustle with activity with the construction of several cottages being developed by Hobbs and Laessig Partnership.

The Fairway Cottages are freestanding homes with private yards, tastefully designed to include authentic local materials such as cedar shakes and fieldstone. Each site has been painstakingly hand cleared to preserve the natural landscape. A private access road creates a quiet little neighborhood of just eight rustic yet modern homes. The Cottages will enjoy sunset views overlooking the golf course and the surrounding mountains.

### FAIRWAY COTTAGES PHASE I

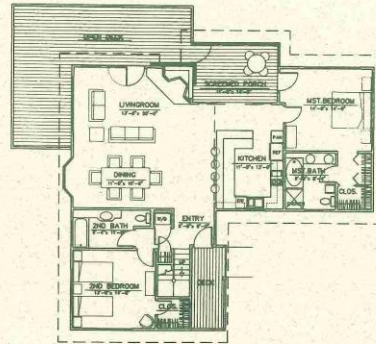
| <u>COTTAGE</u> | <u>PLAN</u> | <u>PRICE</u> |
|----------------|-------------|--------------|
| 1              | A-1         | SOLD         |
| 2              | A-2         | 297,500      |
| 3              | A-2         | 297,500      |
| 4              | B-2         | 299,500      |
| 5              | B-1         | 299,500      |
| 6              | B-1         | MODEL        |
| 7              | B-2         | SOLD         |
| 8              | B-2         | 299,500      |



## Plan A-2

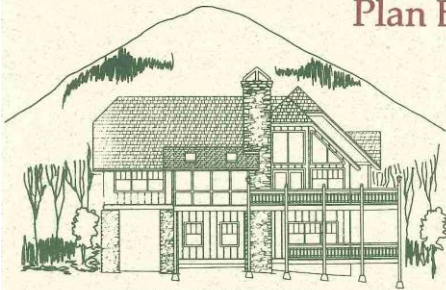


VIEW ELEVATION

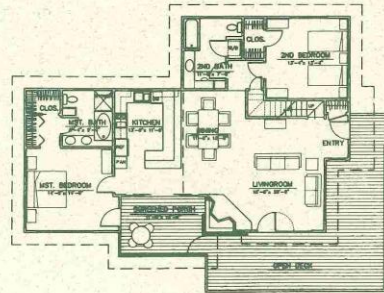


| <b>A-2</b>          |             |
|---------------------|-------------|
| Heated Sq. Ft./Loft | 1880        |
| Screen Porch        | 154         |
| Deck                | 525         |
| <b>Total</b>        | <b>2559</b> |

## Plan B-1/B-2



VIEW ELEVATION



| <b>Plans</b>                | <b>B-1</b>  | <b>B-2</b>  |
|-----------------------------|-------------|-------------|
| Heated Sq. Ft./Loft         | 1700        | 1810        |
| Screen Porch                | 140         | 140         |
| Deck                        | 470         | 470         |
| <b>Total</b>                | <b>2310</b> | <b>2420</b> |
| Opt. Lower Level<br>Sq. Ft. | 730         | 730         |

Plans may be changed. Prices  
subject to change without notice.  
All dimensions are approximate.

## GENERAL SPECIFICATIONS

### FEATURES

- \* WOODED AND LANDSCAPED LOT
- \* UNDERGROUND UTILITIES
- \* CEDAR AND FIR EXTERIOR WITH STONE ACCENTS
- \* CEDAR DECKING
- \* CEDAR SHAKE ROOF
- \* STONE CHIMNEY
- \* VINYL CLAD INSULATED WINDOWS AND PATIO DOORS
- \* SLATE ENTRY FOYER
- \* COLOR COORDINATED #6 DENSITY CARPET WITH 9/16 PADDING
- \* SOLID WOOD ENTRY DOOR
- \* SCREEN PORCH
- \* 2 BEDROOMS, 2 BATHS
- \* LOFT
- \* R-19 CEILING INSULATION
- \* R-11 WALL INSULATION
- \* STONE FIREPLACE
- \* ALL ELECTRIC FIXTURES INCLUDING OUTSIDE POST LATERN
- \* ENTRY DOOR CHIMES
- \* 80 GALLON WATER HEATER
- \* WOOD PANEL AND LOUVER INTERIOR DOORS
- \* STAINED WOODWORK AND PAINTED WALLS
- \* SCHLAGE DOOR HARDWARE
- \* DECORATOR ELECTRIC SWITCHES AND PLATES
- \* FOUR CEILING FANS

### BATHROOMS

- \* KOHLER BATHROOM FIXTURES
- \* TEA FOR TWO BATHTUB IN MASTER BATH
- \* FULL HEIGHT SHOWER DOOR IN MASTER BATH
- \* ELONGATED WATER CLOSETS
- \* 36" HIGH VANITIES WITH FLOURESCENT LIGHT UNDER
- \* MEDICINE CABINETS
- \* CERAMIC TILE FLOORS

### KITCHEN

- \* OAK CABINETS WITH MICA TOPS
- \* NO-WAX VINYL FLOOR
- \* PORCELAIN ENAMELED SINK WITH SPRAY
- \* G.E. or KENMORE APPLIANCES - SELF-CLEANING OVEN RANGE, SIDE-BY-SIDE REFRIGERATOR/FREEZER WITH WATER AND ICE DISPENSOR IN DOOR, ENERGY SAVING DISHWASHER, MICROWAVE OVEN, GARBAGE DISPOSER, WASHER/DRYER

### HOBBS AND LAESSIG PARTNERSHIP

Russ Hobbs & Ron Laessig have combined their complementary talents - developing experience and financial expertise. With 35-plus years in project management, Russ has built hundreds of quality residences in other states as well as many communities throughout Florida. These include prestigious homes in Boca Raton, Naples and at Sawgrass, to name only a few.

For over 30 years, Ron has been instrumental in financial planning for many corporations. He achieved success in residence development at Windemere in Naples. Hobbs & Laessig is currently building in Arvida's River Hills Country Club near Tampa, Florida.

### OPTIONS

#### LOWER LEVEL

- Family Room
- Vermont wood stove/Tennessee field stone firewall with hearth
- Third bedroom
- Wet bar
- Full Bath
- Golf Cart Storage

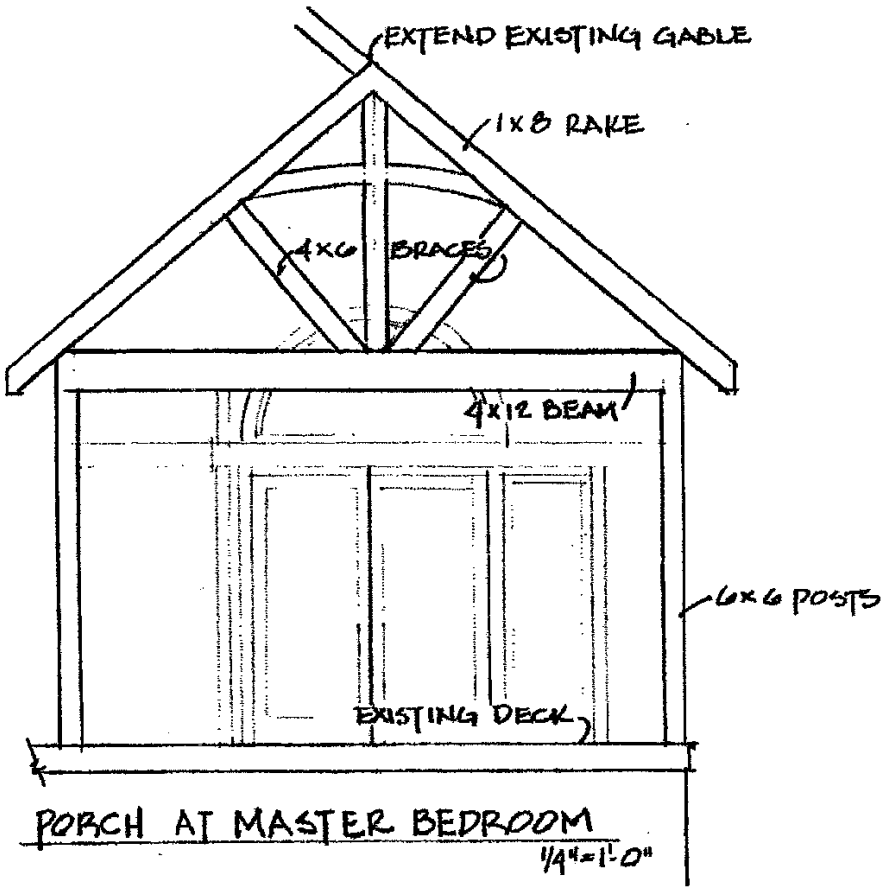
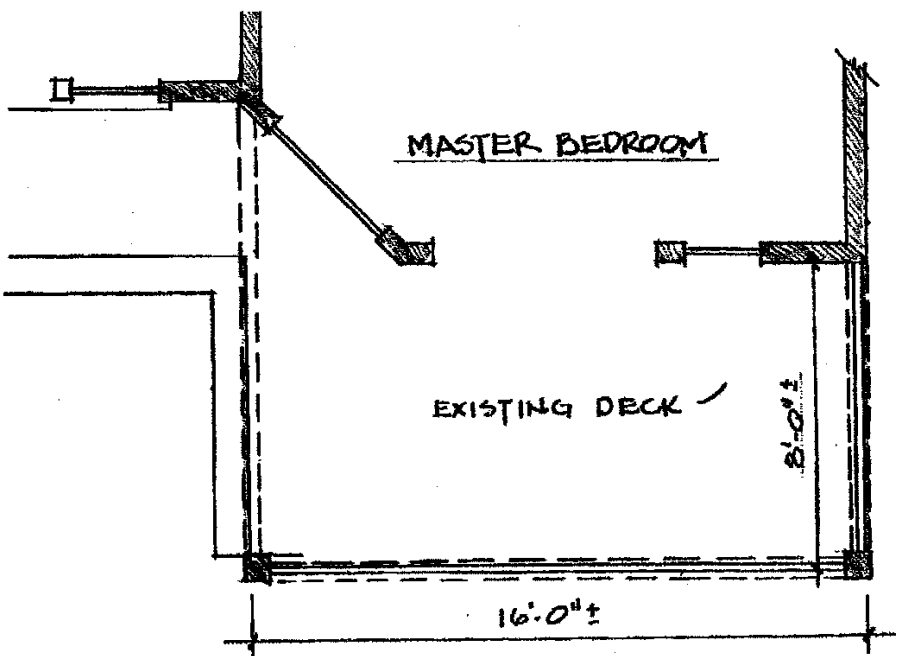
#### MAIN LEVEL

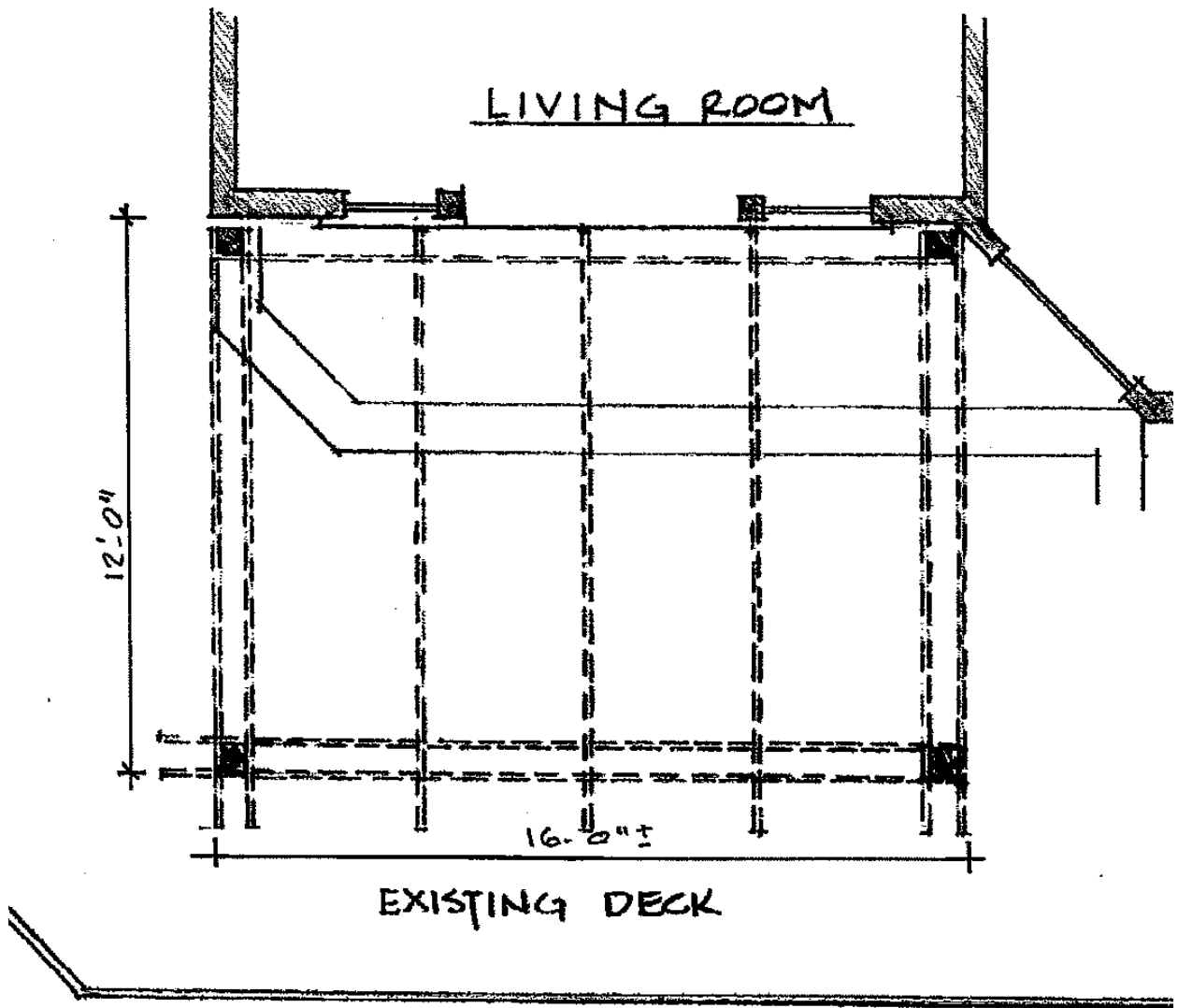
- Vaulted ceiling
- Kitchen
- Master bedroom
- Entry
- Enlarged foyer/coat closet
- Skylights
- Intercom

Obtain the Property Report required by Federal law and read it before signing anything.  
No Federal agency has judged the merits or value, if any, of this property.

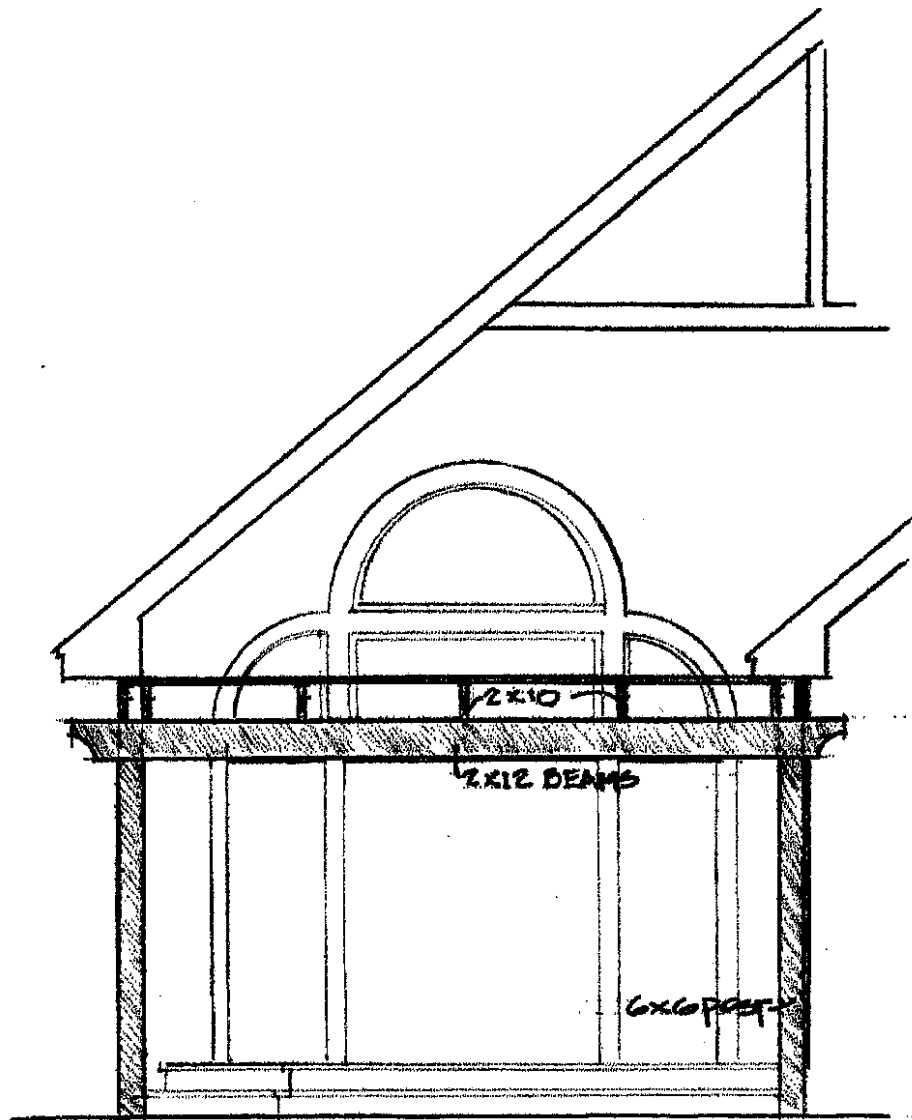
Cullasaja Club, P.O. Box 2019, Highlands, NC 28741, (704) 526-4104

APPENDIX B  
LAKE VILLAS SPECIFICATIONS

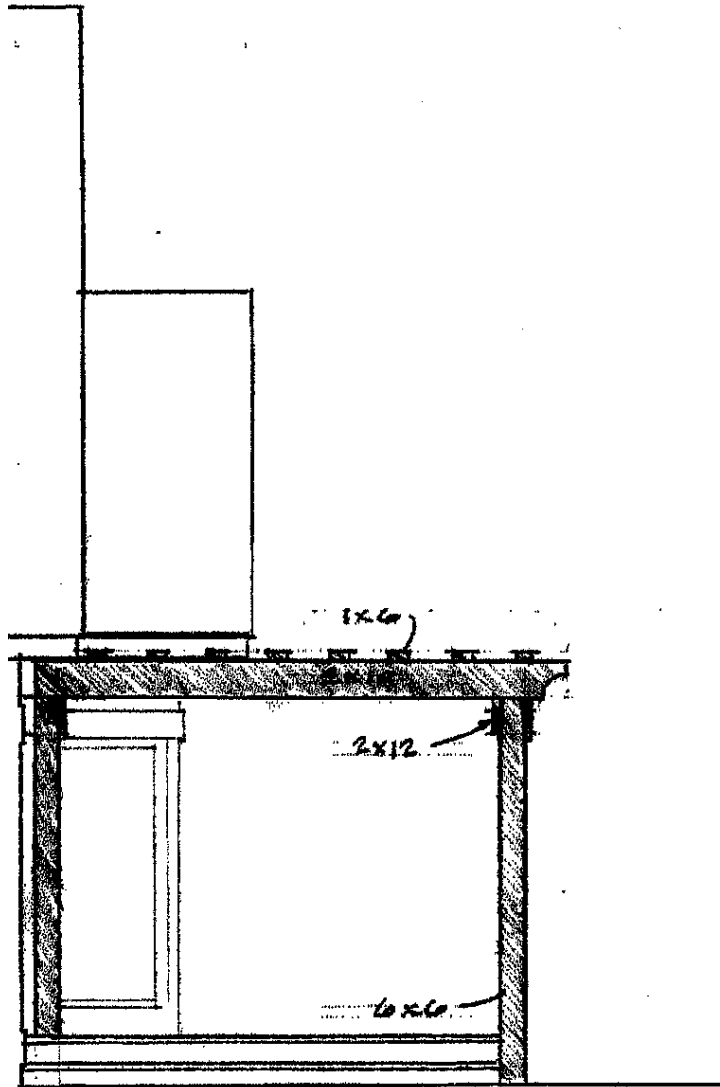




SHADE ARBOR AT DECK

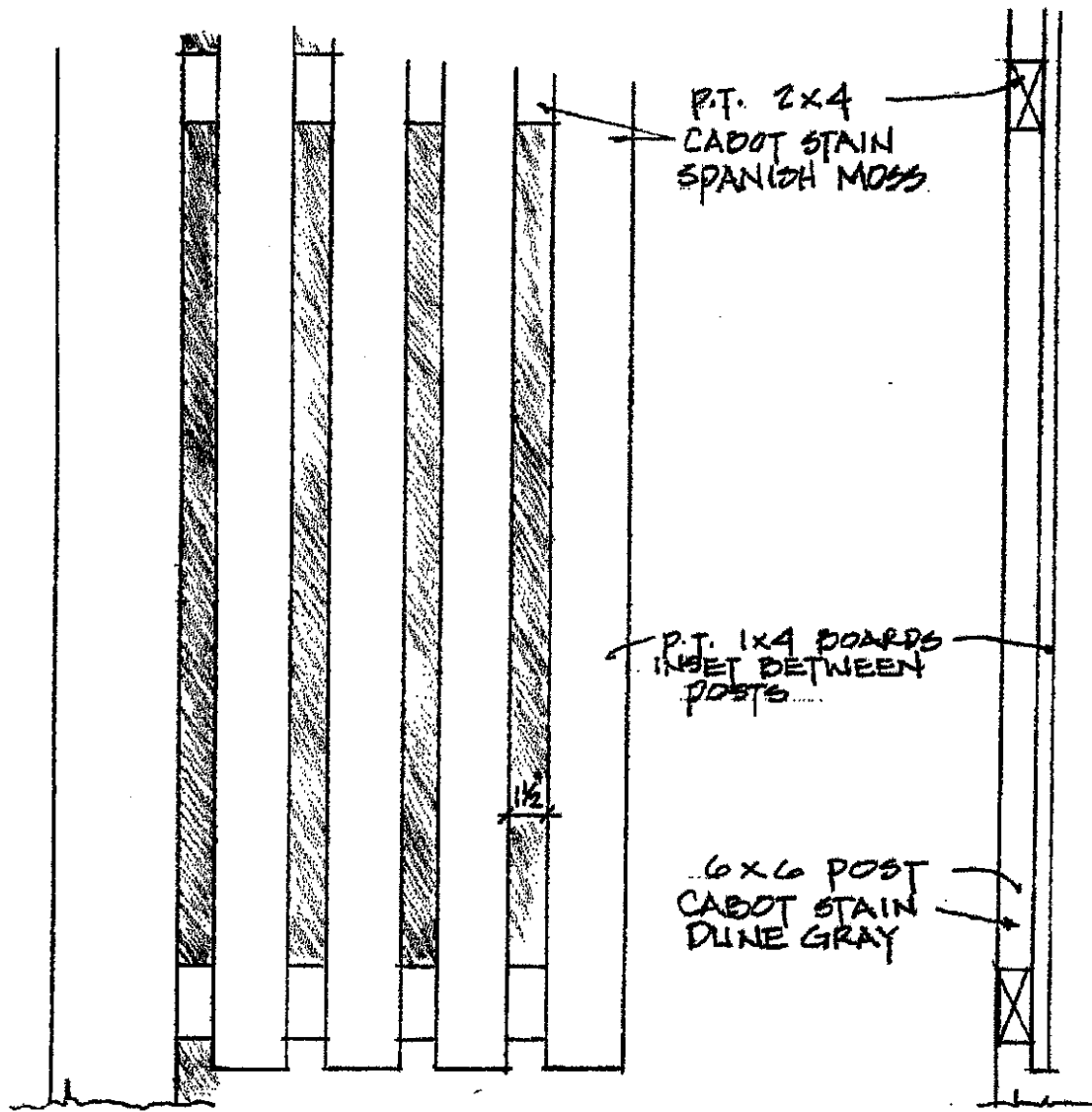


REAR



SIDE





SLAT SCREEN DETAIL

**Cullasaja Club**  
**Application for Preliminary Design Review**

Date: \_\_\_\_\_

Property Location: \_\_\_\_\_

Property Owner:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Construction: New Home: \_\_\_\_\_ Remodeling/addition: \_\_\_\_\_

Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

I hereby acknowledge that I have read and understand the Design and Construction Standards of Cullasaja Homeowners' Association, Inc., and that I will fully comply with the same.

\_\_\_\_\_  
PROPERTY OWNERS' NAME  
(Please type or print)

\_\_\_\_\_  
PROPERTY OWNERS' SIGNATURE

\_\_\_\_\_  
ARCHITECT  
(Please type or print)

\_\_\_\_\_  
(Contact info – phone or email)

\_\_\_\_\_  
LANDSCAPE ARCHITECT  
(Please type or print)

\_\_\_\_\_  
(Contact info – phone or email)

# Cullasaja Club

## Preliminary Design Review Checklist

### A. Site Plan:

Locations of and notations on site plan of:

1. \_\_\_\_\_ required setbacks, front and side
2. \_\_\_\_\_ gas tank (screened if above ground)
3. \_\_\_\_\_ location of fences
4. \_\_\_\_\_ show proper driveway drainage
5. \_\_\_\_\_ interior lot drainage. Show piping to handle discharge.
6. \_\_\_\_\_ culvert - show size and location
7. \_\_\_\_\_ topographical plan - show contours to establish proper drainage
8. \_\_\_\_\_ erosion control measures-show drainage plan
9. \_\_\_\_\_ tree and brush removal - show type and size of all trees to be removed
10. \_\_\_\_\_ driveway location/material
11. \_\_\_\_\_ easements

### B. Building Plans:

1. \_\_\_\_\_ foundation plans
2. \_\_\_\_\_ floor plans
3. \_\_\_\_\_ exterior elevations - all four sides
4. \_\_\_\_\_ wall section
5. \_\_\_\_\_ house cross-section
6. \_\_\_\_\_ roofing materials - specify\_\_\_\_\_
7. \_\_\_\_\_ roof slopes\_\_\_\_\_
8. \_\_\_\_\_ proper screening of underside of porches
9. \_\_\_\_\_ exterior color of siding and windows (11 X 17 color board required)

### C. Landscape Plan:

1. \_\_\_\_\_ property lines and setback lines.
2. \_\_\_\_\_ finish floor elevation.
3. \_\_\_\_\_ easements.
4. \_\_\_\_\_ proposed clearing limits.
5. \_\_\_\_\_ location of improvements.
6. \_\_\_\_\_ conceptual walks, drives, patios, turnarounds, decks, walls and parking.
7. \_\_\_\_\_ location of air-conditioning compressors, power meters and telephone pedestals.
8. \_\_\_\_\_ location of all existing trees over 6" in diameter and all flowering trees over 2" in diameter which are not in natural tree masses.
9. \_\_\_\_\_ existing tree masses and areas to remain in a natural state (generally undisturbed except for minor under story clearance).
10. \_\_\_\_\_ type, and location of proposed new plant material.
11. \_\_\_\_\_ areas to be sodded or seeded.

**Cullasaja Club**  
**Application for Final Design Review**

Date: \_\_\_\_\_

Property Location: \_\_\_\_\_

Property Owner:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Construction: New Home:\_\_\_\_\_ Remodeling/addition:\_\_\_\_\_

Start Date:\_\_\_\_\_

Estimated Completion Date:\_\_\_\_\_

I hereby acknowledge that I have read and understand the Design and Construction Standards of Cullasaja Homeowners' Association, Inc., and that I will fully comply with the same.

\_\_\_\_\_  
PROPERTY OWNERS' NAME  
(Please type or print)

\_\_\_\_\_  
PROPERTY OWNERS' SIGNATURE

\_\_\_\_\_  
ARCHITECT  
(Please type or print)

\_\_\_\_\_  
(Contact info – phone or email)

\_\_\_\_\_  
LANDSCAPE ARCHITECT  
(Please type or print)

\_\_\_\_\_  
(Contact info – phone or email)

# Cullasaja Club

## Final Design Review Checklist

### A. Site Plan:

Locations of and notations on site plan of:

1. \_\_\_\_\_ required setbacks, front and side
2. \_\_\_\_\_ gas tank (screened if above ground)
3. \_\_\_\_\_ port-a-john location
4. \_\_\_\_\_ location of fences
5. \_\_\_\_\_ details of fences, materials, etc.
6. \_\_\_\_\_ show proper driveway drainage
7. \_\_\_\_\_ interior lot drainage. Show piping to handle discharge.
8. \_\_\_\_\_ culvert - show size and location
9. \_\_\_\_\_ topographical plan - show contours to establish proper drainage
10. \_\_\_\_\_ erosion control measures-show drainage plan
11. \_\_\_\_\_ tree and brush removal - show type and size of all trees to be removed
12. \_\_\_\_\_ location of stone columns
13. \_\_\_\_\_ driveway location/material
14. \_\_\_\_\_ a site section (20 scale min.)
15. \_\_\_\_\_ easements

### B. Building Plans:

1. \_\_\_\_\_ foundation plans - details
2. \_\_\_\_\_ floor plans - details
3. \_\_\_\_\_ exterior elevations - all four sides
4. \_\_\_\_\_ wall section
5. \_\_\_\_\_ house cross-section
6. \_\_\_\_\_ roofing materials - specify \_\_\_\_\_
7. \_\_\_\_\_ roof slopes \_\_\_\_\_
8. \_\_\_\_\_ proper screening of underside of porches
9. \_\_\_\_\_ exterior color of siding and windows (11 X 17 color board required)

### C. Landscape Plan:

1. \_\_\_\_\_ property lines and setback lines.
2. \_\_\_\_\_ finish floor elevation.
3. \_\_\_\_\_ easements.
4. \_\_\_\_\_ proposed clearing limits.
5. \_\_\_\_\_ existing and proposed grades by contour lines.
6. \_\_\_\_\_ location of improvements.
7. \_\_\_\_\_ walks, drives, patios, turnarounds, decks, walls and parking.
8. \_\_\_\_\_ site accessories such as trash pads fences and lighting.
12. \_\_\_\_\_ location of air-conditioning compressors, power meters and telephone pedestals.
13. \_\_\_\_\_ location of all existing trees over 6" in diameter and all flowering trees over 2" in diameter which are not in natural tree masses.
14. \_\_\_\_\_ existing tree masses and areas to remain in a natural state (generally undisturbed except for minor under story clearance).
15. \_\_\_\_\_ type, location, quantity and size of proposed new plant material including trees, shrubs and ground cover.
16. \_\_\_\_\_ areas to be sodded or seeded.

**Cullasaja Homeowners' Association, Inc.  
Residential Construction Permit**

**PERMIT #** \_\_\_\_\_

**DATE APPROVED:** \_\_\_\_\_

**TYPE CONSTRUCTION: NEW HOME:** \_\_\_\_\_ **REMODEL/ADDITION:** \_\_\_\_\_

**START DATE:** \_\_\_\_\_ **ESTIMATED COMPLETION DATE:** \_\_\_\_\_

**LOT OWNER** \_\_\_\_\_ **Phone** \_\_\_\_\_

**ARCHITECT** \_\_\_\_\_ **Phone** \_\_\_\_\_

**BUILDING  
CONTRACTOR** \_\_\_\_\_ **Phone** \_\_\_\_\_

**LANDSCAPE  
CONTRACTOR** \_\_\_\_\_ **Phone** \_\_\_\_\_

\_\_\_\_\_  
**ACC ADMINISTRATIVE OFFICER**

\_\_\_\_\_  
**DATE ISSUED**

# Cullasaja Club

## Application for Certificate of Compliance

Date: \_\_\_\_\_

Property Location: \_\_\_\_\_

Property Owner:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Have received an occupancy permit from the County Building Department

I hereby acknowledge that I have read and understand and have completed all requirements of section 6.6 of the Design Standards.

\_\_\_\_\_  
PROPERTY OWNERS' NAME  
(Please type or print)

\_\_\_\_\_  
PROPERTY OWNERS' SIGNATURE